

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL CASE NO. 3:07cv39**

**XIAOSONG WU, and  
MEIYING CHEN,**

**Plaintiffs,**

**vs.**

**ORDER**

**MICHAEL CHERTOFF,  
Secretary for the Department of  
Homeland Security; EMILIO T.  
GONZALEZ, Director for  
Citizenship and Immigration  
Services; EVELYN UPCHURCH,  
Director, Texas Service Center;  
and ROBERT S. MUELLER, III,  
Director of the Federal Bureau  
of Investigation,**

**Defendants.**

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**THIS MATTER** is before the Court on reassignment.

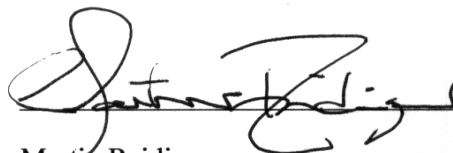
The Plaintiffs initiated this action on January 29, 2007 seeking mandamus, declaratory and injunctive relief based on the alleged failure of the United States Citizenship and Immigration Services (CIS) to adjudicate their application to register for permanent residence or to adjust their

status, which had been pending since January 23, 2003. The Defendants moved to dismiss on April 23, 2007 and the Plaintiffs responded. However, on July 5, 2007, the Defendants, with the consent of the Plaintiffs, moved to dismiss the action as moot. On June 27, 2007, each Plaintiff received notice from the CIS that each of their applications had been approved for permanent residence status. **See, Exhibits 1 & 2, attached to Motion to Dismiss for Mootness, filed July 5, 2007.** The Plaintiffs have now received their green cards and have joined in the motion to dismiss.

**IT IS, THEREFORE, ORDERED** that the motion to dismiss for mootness is hereby **GRANTED** and this action is hereby **DISMISSED**.

**IT IS FURTHER ORDERED** that all other pending motions are hereby **DENIED** as moot.

Signed: October 5, 2007

  
Martin Reidinger  
United States District Judge

